

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BERNIE MIMS,

Plaintiff

vs.

UNITED STATES MARSHAL, Warden JOHN,

DOE, SERGEANT JACKIE McCALL,

OFFICER LEDBETTER, OFFICER WEER,

Defendants

Civil Action No. 06-843

Judge Donetta W. Ambrose/

Magistrate Judge Lisa

Pupo Lenihan

MEMORANDUM ORDER

The above-captioned prisoner civil rights action was transferred from the Middle District of Pennsylvania. The Middle District Court did so because the complaint referenced the "Mercer County Correction Center." The Middle District Court understood this to be a reference to the Mercer County Prison located in Mercer, Pennsylvania and so transferred the case to this court because the Mercer County Prison is located within the Western Pennsylvania Judicial District. This court has reason to believe that the reference is actually to the Mercer County Correction Center located in Mercer County, New Jersey. See United States v. Mims, No. 3:04-cr-627 (D.N.J. Doc. Nos. 8 & 11)(Doc. 8 is the superceding indictment and Doc. 11 is plea agreement for Plaintiff, both of which indicated that the location of the crime for which he was arrested and to which he ultimately pleaded guilty was in Mercer County, New Jersey).

Given this, the court will attach a form to this order and require Plaintiff to fill out the form indicating where the actions recounted in the complaint took place. He will be required to return the form to the Clerk's Office at the following address:

Clerk's Office
United States District Court
P.O. Box. 1805
Pittsburgh, PA 15230

Accordingly, the following order is entered.

AND NOW, this 27th day of June, 2006;

IT IS HEREBY ORDERED that Plaintiff fill out the attached form and return it to the Clerk's office by July 20, 2006. Failure to do so will result in the entrance of an order dismissing the case with prejudice for failure to comply with a court order and/or for failure to prosecute.

/s/Lisa Pupo Lenihan
Lisa Pupo Lenihan
United States Magistrate Judge

cc: Donetta W. Ambrose
CHIEF UNITED STATES DISTRICT JUDGE

Bernie Mims
Inmate Number 60141-050
FCI ALLENWOOD LOW
FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 1000
WHITE DEER, PA 17887

NOTICE TO THE COURT

BERNIE MIMS,)	
)	
Plaintiff)	
)	
vs.)	
)	
UNITED STATES MARSHAL, Warden JOHN,)	Civil Action No. 06-843
DOE, SERGEANT JACKIE McCALL,)	
OFFICER LEDBETTER, OFFICER WEER,)	
)	Judge Donetta W. Ambrose/
Defendants)	Magistrate Judge Lisa
)	Pupo Lenihan
)	
)	

I, Bernie Mims, Plaintiff in the above captioned prisoner civil rights suit hereby indicate that the actions complained of in the complaint took place in: [choose only one]

_____ the Mercer County Correction Center located in Mercer County, New Jersey.

_____ the Mercer County Prison, located in Mercer County Pennsylvania.

_____ Somewhere else. Please indicate at which facility and where the facility is located.

_____.